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|---|---|--|---|
| FORM PTO-1390 (Modified)<br>(REV 10-95)   |   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE        | ATTORNEY'S DOCKET NUMBER<br>199- <b>JS2XPCT</b> |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>09/700729</b> |   |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/JP00/02060</b>  | INTERNATIONAL FILING DATE<br><b>31 March 2000</b> | PRIORITY DATE CLAIMED<br><b>31 March 1999</b>                  |   |
| TITLE OF INVENTION<br><b>SHOVEL</b>   |   |  |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Hideki KINUGAWA, et al.</b>   |   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |  |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li>8. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> |   |  |   |
| Items 13 to 18 below concern document(s) or information included:   |   |  |   |
| <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>19. <input checked="" type="checkbox"/> Other items or information:</li> </ol>  |   |  |   |
| <p><b>Request for Consideration of Documents Cited in International Search Report</b></p> <p><b>Notice of Priority</b><br/>PCT/IB/304<br/>PCT/IB/308<br/>Drawings (5 Sheets)</p>  |   |  |   |

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| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>09/700729</b> | INTERNATIONAL APPLICATION NO.<br>PCT/JP00/02060 | ATTORNEY'S DOCKET NUMBER<br>199202US2XPCT |
|--|---|---|

20. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

|  |           |
|--|-----------|
| <input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO .....  | \$860.00  |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) .....  | \$690.00  |
| <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... | \$710.00  |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....          | \$1000.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....       | \$100.00  |

**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

| CLAIMS             | NUMBER FILED | NUMBER EXTRA | RATE      |        |
|--------------------|--------------|--------------|-----------|--------|
| Total claims       | 17 - 20 =    | 0            | x \$18.00 | \$0.00 |
| Independent claims | 1 - 3 =      | 0            | x \$80.00 | \$0.00 |

Multiple Dependent Claims (check if applicable).

\$0.00

**TOTAL OF ABOVE CALCULATIONS =**

\$860.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

\$0.00

**SUBTOTAL =**

\$860.00

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

**TOTAL NATIONAL FEE =**

\$860.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

**TOTAL FEES ENCLOSED =**

\$860.00

|                           |    |
|---------------------------|----|
| Amount to be:<br>refunded | \$ |
| charged                   | \$ |

A check in the amount of \$860.00 to cover the above fees is enclosed.

Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 15-0030 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



22850

Surinder Sachar  
Registration No. 34,423*Surinder Sachar*  
SIGNATURE

Marvin J. Spivak

NAME

24,913

REGISTRATION NUMBER

1430-00

DATE

DOCKET NO. 199202US PCT

IN RE APPLICATION OF: **[REDACTED]** KINUGAWA, et al.

SERIAL NO.: NEW U.S. PCT APPLICATION (based on PCT/JP00/02060)

FILED: HEREWITH

FOR: SHOVEL

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.

Additional documents filed herewith: PCT Transmittal Letter/Notice of Priority/Drawings (5 Sheets)  
English Translation of Specification/Request for Consideration/PCT/IB/304/Declaration/PCT/IB/308  
Preliminary Amendment/International Search Report/Check for \$860.00

The fee has been calculated as shown below.

| (Col. 1)  |                              | (Col. 2) |  | (Col. 3)         |       | SMALL ENTITY      |       | OTHER THAN A SMALL ENTITY |                   |
|---|------------------------------|----------|--|------------------|-------|-------------------|-------|---------------------------|-------------------|
|   | CLAIMS<br>REMAINING<br>AFTER |          | HIGHEST NUMBER<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE  | ADDITIONAL<br>FEE |       | RATE                      | ADDITIONAL<br>FEE |
| TOTAL   | * 17                         | MINUS    | ** 20                                    | = 0              | X9 =  | \$                | X18 = | \$ .00                    |                   |
| INDEP   | * 1                          | MINUS    | *** 3                                    | = 0              | X40 = | \$                | X80 = | \$ .00                    |                   |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |                              |          |  |                  |       | +135=             | \$    | +270=                     | \$                |
| TOTAL   |                              |          |  |                  |       | \$                | TOTAL | \$ .00                    |                   |

— A check in the amount of \$ \_\_\_\_\_ is attached.

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

*Surinder Sachar*  
Marvin J. Spivak  
Attorney of Record  
Registration No. 24,913  
Surinder Sachar  
Registration No. 34,423

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\*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.  
\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.  
\*\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.